

Application No. 10/010,190
Amendment "B" dated June 22, 2005
Reply to Office Action mailed May 12, 2005

REMARKS

The Office Action, mailed May 12, 2005, considered claims 1-39 and 41-44. Claims 1-14, 17-19, and 24-39, 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pfister et al, (U.S. Publication No. 2003/0046365 A1), in view of Donohue, et al. (U.S. Patent No. 5,987,480) and in further view of Lewis, R., Adobe PageMill 2.0 Handbook (chapter 10) (hereinafter "Pagemill")¹.

By this paper, claims 1, 27, 41 and 43 have been amended and new claims 45-49 have been added, such that claims 1-39 and 41-49 remain pending, of which claims 1, 27, 41 and 43 are the only independent claims at issue.²

As reflected above, in the claims listing, the method recited in claim 1 relates to customizing arrangement of content displayed on a display device of a mobile computing device. The method includes creating a template file at a network computing device, which represents a layout for displaying content at the mobile computing device that is updated automatically and without user intervention, by (i) generating static content and layout information corresponding to the static content; (ii) generating one or more references to dynamic content and layout information corresponding to the one or more references to dynamic content, the dynamic content changing over time; and (iii) including the static content, the one or more references to the dynamic content, as well as corresponding layout information in the template file; generating computer-executable instructions for substituting, at the mobile computing device, the dynamic content for the one or more references to the dynamic content included in the template file; and transferring the template file and the computer-executable instructions to the mobile computing device in order to customize arrangement of the dynamic content at the mobile computing device. As further recited, the received template file, including the layout information is stored at the mobile computing device and new layout information that is transferred to the mobile computing device replaces existing layout information corresponding to the stored template file and without replacing the stored template file. Independent claim 41 recites similar limitations from the perspective of a computer program product.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

² Support for the new claims and amendments is drawn from various passages of the disclosure, including, but not limited to the disclosure found in paragraphs [0008], [0034], [0037]-[0038], and [0068].

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Claims 27 and 43 are also directed to corresponding method and computer program product claims and that are similar to those recited in claims 1 and 41, respectively. However, claims 27 and 43 are recited from the perspective of the mobile computing device, whereas claims 1 and 41 are recited from the perspective of a server in communication with the mobile computing device.

As mentioned in the previous response, Pfister discloses a system and method of caching that identifies content for caching according to characteristics of the content. [0021]. For example, when downloading data from a web page, often a large percentage of the data is relatively static in nature. [0019]. However, each time a page is downloaded, all data from the page is usually downloaded, including information that has not changed since the last download, since caching is based on the date stamp of the page. *Id.* Accordingly Pfister discloses, for example, using a unique identifier to identify static content within a web page that changes infrequently and therefore may be cached and retrieved from the cache even though other parts of the web page have changed in some way. [0059]. As a result, only non-static portions of the web page require downloading when a user has cached the static portions. [0060].

Donohue was cited for the proposition that templates can be stored and created at an Internet server.

Newly cited Pagemill is a general reference relating to CGI scripts. Pagemill was cited for the proposition that computer executable instructions can be transferred to a mobile computing device (claim 1) and for executing the computer-executable instructions at the mobile computing device (claim 27). However, it is not clear how Pagemill teaches these recited claim elements. In particular, according to page 259 and 263, the CGI scripts are stored at and reside on a special directory of the Web server. When accessed, the scripts are then executed in real-time by the server and the corresponding output is returned to the reader's browser. Accordingly, it does not appear that the CGI scripts are even transferred to or executed at the client system. Nevertheless, even if the CGI scripts were transferred to and executed at the client system (e.g., mobile computing device), the CGI scripts clearly fail to comprise layout information, such as for example, as specified in Applicant's specification and that defines the layout of static and/or dynamic content and that is updated without replacing the corresponding stored template file.

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In fact, none of the cited disclosure, from any of the art, considered alone or in combination, teaches or suggests such an embodiment, as claimed, wherein the template file, including the layout information is stored at the mobile computing device, and wherein new layout information to the mobile computing device, the new layout information replacing existing layout information corresponding to the stored template file and without replacing the stored template file. Pfister, for example, appears to suggest that with regard to changed versions (e.g., layout updates) of a web page, that a new unique identifier is assigned and the entire page is essentially replaced. [0066]

Furthermore, with regard to claim 27 and 43, Applicants respectfully submit that the cited disclosure in Pfister actually fails to provide the claimed notification regarding changes. The examiner has asserted that paragraph [0066] discloses this. However, this disclosure does not actually appear to suggest or teach that notification regarding a change is provided to a client. Instead, it only appears to suggest that "When the page is later downloaded, the new unique identifier will trigger a download of the changed page." Notification regarding the change does not appear to be provided. This is particularly true when considering the notification regarding the change can be an audio notification, as recited in the new claims.

The cited art also appears to fail to disclose any embodiment in which some of the displayed dynamic content is actually generated at the client system, as further recited in the new claims.

Based on at least the foregoing, Applicants respectfully submit that the cited prior art fails to anticipate or make obvious Applicants invention, as claimed for example, in independent claims 1, 27, 41, and 43, and the corresponding dependent claims. Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and such that addressing individual rejections or assertions with respect to the teachings of the cited art, or with regard to any official notice, is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so. Accordingly, the fact that certain assertions have not been traversed at this time should not be construed as Applicants acquiescing to such assertions.

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In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 22 day of JUNE, 2005.

Respectfully submitted,



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